

ORDER

White asks the Supreme Court to grant transfer again under Appellate Rule 56(A), this time to assume jurisdiction over the petition for judicial review pending in the Marion Circuit Court. He requests that the IDP's petition for judicial review be heard and decided by the Supreme Court in the first instance. No response to the Emergency Verified Motion has been filed.

White's request for transfer is procedurally improper. Appellate Rule 56(A) provides that the Supreme Court may "accept jurisdiction over *an appeal that would otherwise be within the jurisdiction of the Court of Appeals* upon a showing that the appeal involves a substantial question of law of great public importance and that an emergency exists requiring a speedy determination." (Emphasis added.) Assuming that White accurately describes the procedural history as set out above, jurisdiction over the IDP's petition for judicial review is with the Marion Circuit Court. White does not allege that the Marion Circuit Court has entered a final judgment on that petition, and he does not seek transfer of an appeal that would otherwise be within the jurisdiction of the Court of Appeals.

Accordingly, the Supreme Court DISMISSES White's Emergency Verified Motion.

The Clerk is directed to send a copy of this order to the Hon. Louis F. Rosenberg, Judge, Marion Circuit Court; and to all counsel of record and unrepresented parties. The Clerk of this Court is further directed to post this order to the Court's website.

Done at Indianapolis, Indiana, this 12th day of September, 2011.

Randall T. Shepard
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Chief Justice of Indiana

All Justices concur.